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January 30, 2015

***By ECF and Hand***

The Honorable James C. Francis  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Nunez, et al., v. City of New York, et al.*, 11 Civ. 5845 (LTS) (JCF)

Dear Judge Francis:

This office, together with The Legal Aid Society Prisoners' Rights Project and Ropes & Gray LLP, is counsel for the Plaintiff Class in this matter, and this office, together with The Legal Aid Society Prisoners' Rights Project, is counsel for the Plaintiffs in their individual damages claims. We write, along with counsel for Defendants, to jointly request an extension of time of the February 27, 2015 deadline to complete expert depositions as to the damages claims brought by eight of the individual Plaintiffs.<sup>1</sup> See Oct. 10, 2014 Dkt. Entry. Specifically, we seek until March 31, 2015 to complete such expert discovery, consistent with the March 31 deadline in Clifford Sewell's case. See Dkt. 190.

The parties jointly make this request to allow time for the parties to engage in settlement discussions aimed at resolving the individual damages cases, which may obviate the need to incur the time and expense of taking these experts' depositions. The parties have already settled the individual claims for monetary damages for one Plaintiff, Shameik Smallwood. See Dkt. 177.

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<sup>1</sup> Specifically, the three plaintiffs whose claims are excluded from this request are Travis Woods, Rodney Brye and Oscar Sanders. The parties have agreed to hold off on their depositions given the stay of class related discovery, and will ask the Court for an expert discovery schedule after the completion of those depositions. See Dkt. 172 n. 1.

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We are available should the Court have any questions.

Sincerely,

/s/

Debra Greenberger

c. All counsel of record (*via ECF*)